

## REMARKS

As examined, the application included claims 1-16, all of which stand rejected on cited art. Original claims 17-30 have been withdrawn from consideration based on Applicant's Reply to a Restriction Requirement. In light of the arguments set forth below, Applicant respectfully submits that the claims are in condition for allowance.

In the listing of claims, claims 17-30 are shown as withdrawn. The Examiner objected to the Abstract because it included a disclosure of both apparatus and method and therefore was not fully descriptive of the current invention as claimed. Applicant has provided a substitute Abstract to overcome this objection. The title has also been amended to remove the reference to a method.

Claim 1 has been amended to provide a language which is more consistent with the language used in the specification. No new matter is added by these modifications. Similarly, claims 2-16 have been amended to make the language therein correspond with that in claim 1 as amended and no new matter is added.

Claims 1-3, 5, 7 and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,757,451 to Miyazaki et al., hereinafter "Miyazaki". Applicant respectfully submits that his invention according to claim 1 is not anticipated by Miyazaki and that the rejection claim 1 should be withdrawn. In Miyazaki, particularly referring to Figure 2, and column 7 beginning at line 9, the "stacked filter is formed on the TFT ... and a place for disposing the space[r] is therefore restricted with the result that the spacer is disposed on the TFT". In contrast, in Applicant's invention according to claim 1 "a thin film transistor [is] disposed at the pixel area ... [and] a spacer [is] disposed between the pixel area and an adjacent pixel area ...". From the foregoing, it will be appreciated that Miyazaki does not

anticipate Applicant's invention according to claim 1 and therefore the rejection should be withdrawn.

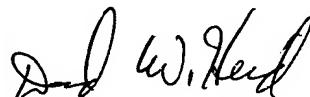
Claims 2-3, 5, 7 and 9 depend from allowable claim 1, and accordingly are allowable for at least the reason of their dependency. Accordingly, Applicant requests that the rejection of claims 1-3, 5, 7 and 9 be withdrawn and those claims allowed.

Claims 4, 6, 8 and 10-16 stand rejected under 35 U.S.C. § 103, the Examiner combining Miyazaki with U.S. Patent 6,140, 988 to Yamada; and further the combination of Miyazaki, Yamada and Iida U.S. Patent 5,801,797. In view of the patentability of claim 1 as pointed out above, it necessarily follows that these dependent claims are allowable for at least the reason of dependency. Applicant therefor requests that the rejection of claims 4, 6, 8 and 10-16 also be withdrawn.

In light of the foregoing, claims 1-16 are now in condition for allowance and Applicant respectfully requests that a Notice of Allowance be issued. Should the Examiner have any questions concerning this case, it is requested that he contact the undersigned at (408) 392-9250.

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Respectfully submitted,



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